IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 21687 of 2007(F)

OS.40/2005 of SUB COURT,NEYYATTINKARA

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PETITIONER:

SHEEBA SAJI KUMAR, W/O.SAJI KUMAR, CHRIST SADANAM, NAKKODU, PERUMPAZHUTHOOR P.O., NEYYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SRI.B.S.SWATHY KUMAR

RESPONDENTS:

MADHUSOODANAN NAIR, S/O.BHASKARAN NAIR, SYAMALALAYAM, THANNIVILA, PALLICHAL VILLAGE, THIRUVANANTHAPURAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/7/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.21687 OF 2007

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Dated this the 13th day of July, 2007

JUDGMENT

This writ petition is filed seeking to set aside Ext.P1 proclamation. As per the sale proclamation, the property belonging to the husband of the writ petitioner is proposed to be sold in auction on 17.7.2007 at 2.30 P.M. Learned counsel for the petitioner submits that the husband is unheard of for the last 3 years and she is an abandoned wife residing with young children in the house and it is the said residential house that is sought to be proceeded against. If the thing is true, it requires sympathetic consideration, but it must be within the parameters of law. Therefore in order to enable the petitioner to have breathing time and to approach the court before which the sale is pending, I direct the court below to defer the sale by one month and in the meanwhile direct the petitioner to file appropriate applications, if permissible under law to ventilate her grievance.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-